IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 3512 OF 2003

IN

SUIT NO. 2456 OF 1994

Smt. Sheela Keshav Avadhani
and ors. ...Plaintiffs.
vs.
M/s. Oza Upadhyay and Co. ...Defendants.

Pratik Saxeria iby. Udwadia and Udeshi
for the plaintiffs.
P.V. Palan, advocate
for defendant no.2a to 2f.
S.A. Sawant, advocate
for defendant no.4 to 9.

CORAM: S.U. KAMDAR, J.

DATE : 2nd March, 2006.

P.C. :

1. Learned counsel appearing of the plaintiff states that on production of actual bills of the BMC (BPT), water bills and electricity bills and other outgoings issued by various authorities

will be paid by the plaintiff within a period of six weeks fromt the date on which the copies of the bills are furnished by the defoliant no.4 to 9 to the plaintiff. Insofar as the quantum is concerned the quantum will be computed on the following basis.

2. If the bill is inrespect of Shop No.3 and 4 then the amount will be paid on the basis of 50% of the said total bill of Shop no.3 and 4.

3. If the bill is inrespect of short area then 50% will be paid of the proportionate area of the Shop no.3 and 4 and the amount of bill will be computed on the basis of the proportionate area of both the said shops. The aforesaid bills will be furnished from 1.2.2003 till date. This arrangement is arrived at without prejudice to the rights and contentions of the parties subject to accounts. Motion is disposed off accordingly. No order as to costs.

sd/-

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